

CITY OF SHELLY
COUNCIL MEETING
MINUTES

MARCH 25, 2008

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Steve Cederberg, John Lent, Charlotte
Fredrickson
Police Chief: Alan Dial (absent)
Public Wks Dir: Rick Anderson
Recreation Dir.: Dawn Lloyd
City Clerk: Sandy Gaydusek
City Attorney: B.J. Driscoll
Police Dept. Sup. Jed Lewis

PLEDGE OF ALLEGIANCE: Rick Anderson

PRAYER: BJ Driscoll

Lorin moved, Steve seconded to approve the following consent agenda:

Minutes of March 11, 2008 Council Meeting

A roll call vote was called for: Lorin – aye, Steve – aye, Charlotte – aye, John - aye. Approved
unanimously.

Kathleen Lewis of SICOG discussed the Comprehensive Plan update. She presented an
overview of the procedure that will be used to update the plan. Kathleen said the community
should be involved by having community gatherings, and work sessions before a draft of the plan
is written. She said the P&Z Board would play an important role in updating the plan. Kathleen
said formal public hearings would be held before the amended comprehensive plan is adopted.
She said the entire process would take approximately six to nine months. Steve said it is very
hard to get the community to be involved in this type of process. John said he has a list of
citizens that may be willing to participate on a committee. He suggested the city have a booth at
the Riverfest celebration to involve the community in the comprehensive plan amendment. John
moved, Steve seconded to approve a contract with SICOG in the amount of \$5000 to update the
city's comprehensive plan contingent upon BJ's review and approval of the contract. Approved
unanimously.

Chuck Mitchell introduced himself to the Mayor and Council, and stated he is running for the
District 2 County Commissioner seat. Mr. Mitchell stated the county needs someone to manage
a large amount of money, equipment, etc. He said he is an electrician by trade and has managed
a lot of large jobs. Mr. Mitchell said the county needs a commissioner that can say "no" when
needed. He said "I will limit and control the budget". Mr. Mitchell felt he could help the
county save money. He said he also wants to handle the entire county fairly and equally. Mr.
Mitchell said he would have an open mind and communicate with the city about their needs. He
asked the Mayor and Council for their support.

Sandy said there were two items that need to be corrected on the final plat for Chokecherry
Heights Subdivision. She said the right-of-way for the bridge needs to be included on the

subdivision plat boundaries, and a percolation rate for the storm water drainage pond needs to be submitted. Sandy said tomorrow our engineers should complete the survey and the development agreement needs to be reviewed by the property owner. Sandy presented a copy of the development agreement for the council's review, and a copy of the review letter from Forsgren. Steve moved, John seconded to approve the final plat for Chokecherry Heights Subdivision conditional upon the survey results coming back clear and the right-of-way for the bridge and the storm drainage percolation rates being provided. Three in favor, Lorin opposed because Sandy did not present him with a copy of the final plat for review. Motion carried.

Brent Clark said Basic American Foods awarded the Tree Committee with \$1700 for trees and shrubs at the triangle property on the west side of Anderson Road. Some of the funds will also be used to replace some of the dead trees throughout the city.

Lorin moved, Charlotte seconded to approve an itinerant business license for Tap Enterprises to hold a public tool sale to be held for one day in April at the Senior Citizens Center. Approved unanimously.

BJ discussed Ordinance #517 amending the Grandfather Clause Ordinance. He said this amendment would allow property owners to petition for a grandfather clause to remain with the property upon change of ownership if an undo hardship is proven. BJ said the P&Z Board would hear this matter and recommendation would be given to the Mayor and Council. He said this ordinance would amend sections 10-11-1 and 10-11-8. The Council and BJ discussed an appeal process, which had not been added to the ordinance. It was determined that an appeal clause should be added to the amendment. BJ will present it at the next council meeting.

BJ said he needs some direction on the business license ordinance. He said there is a section, which allows the inclusion of an unpaid business license with the utility charges. The Mayor and Council felt that section should be removed. BJ said there is a section, which provides a \$10 penalty for business licenses that are not renewed within fifteen days from January 1st of each year. The Mayor and Council felt that section should remain in the ordinance.

BJ said he received an email from the Protestants of the city water right application regarding the mitigation plan. The email stated the mitigation plan was not accepted, and the Protestants want the city to provide secondary irrigation systems or to purchase water rights. BJ said the city has several options; they could choose to take this matter to hearing regarding the protest of the water right application. He said this has never been done before as far as he knows, and the Protestants would be required to prove injury to them. He said he has not heard from Ball Development regarding their intentions; they may choose to buy water rights or build a secondary irrigation system, or drill their own wells. BJ said the city engineers feel the city should proceed with trying to drill a "firm capacity" well. Husk said the water right applications have been prepared to combine the city's diversion points. BJ said a "firm capacity" well would not pull anymore water rights out of the ground, and would be used as a back up well only to accommodate DEQ mandates. BJ said another option is to apply for water rights for domestic

uses for current and future growth, and the city would need to require secondary irrigation systems for irrigation purposes, or the city could purchase water rights that will be transferred into the city. Husk also indicated that another mitigation plan might be pushed through too. BJ said if the city chooses to go to hearing; it would be in the city's best interest to hire a water attorney and hydrologist.

BJ said he has reviewed the Logite contract and has several concerns with it. Rick said Logite is not in a bug hurry, so we have time to work through things. Logite is the company who will be processing waste at the county transfer station in Moreland.

Husk said a letter was received from the State regarding the Water Facility Planning Study Grant. He said the letter stated the EID study must be added to the application. Husk presented an amendment to the grant application for the Water Planning Study. John moved, Lorin seconded to amend the Water Facility Planning Study application to complete the EID documents and to submit the document to DEQ by April 4, 2008. Approved unanimously.

Dawn said there was a NBA skills challenge in Utah where four children competed. She said there would be a hoop shoot where children can qualify for the Fun Shot in Utah too.

Rick said he spent last week in Boise attending water and wastewater training. He said the training was very beneficial and he received his needed credits to remain certified.

Jed said the warm weather is creating a busy time for the police department.

Husk said the bids for the construction of the wastewater treatment plan will be opened at 5:00 p.m. on April 17, 2008.

Charlotte said she attended the Kiwanis meeting today. She said the shelter that will be built at the Dawn Lloyd Fields was discussed and the Kiwanis determined they might help with the shelter financially.

John thanked everyone for their hard work and dedication to the community.

Steve asked about the well and pump at the city shop. Rick said he has a company coming to evaluate and estimate the cost to replace the pump at Well #2.

Lorin asked about the city's new telemetry system. Rick said the system is working great. He said there is still one more well to tie into the new system.

Lorin said he spoke with Chuck and Alan about moving a power pole that is currently located on the Butte. He said this pole could possibly be used for an osprey platform.

Lorin said he visited with Max Ririe about sewer access to his buildings. Mr. Ririe said the area where the sewer line will cross Highway 91 is further north than his buildings, but he is willing to help the city financially. Lorin said the city would need to purchase a small piece of property from Ken Bateman. He also suggested involving Bingham County to help construct a connector road on the east side of Highway 91, which is near Mr. Ririe's property. Husk said the city work with the State on their Improvement Program to help with this project. Rick said he did not think there would be a problem getting an easement from Union Pacific Railroad for a sewer line encroachment.

Mayor Christensen said Firth would be "Capitol for a Day" on April 8, 2008, where Governor Otter will be available to discuss the area's concerns. He said David Tutthill IDWR's Executive Director would also be there. Mayor Christensen said he plans on attending a luncheon so he can visit with Governor Otter.

Adjourned: 9:20 p.m.

ATTEST:

 APPROVE: 

<u>DATE</u>	<u>MARCH CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
4-Mar-08	COMDATA	393.86	31643
5-Mar-08	Bingham Economic Development Corp	4,000.00	31644
7-Mar-08	Bureau of Occupational Licenses	90.00	31645
7-Mar-08	Solid Waste Systems Inc	1,010.31	31646
14-Mar-08	Alltel	193.94	31647
14-Mar-08	American Linen	507.64	31648
14-Mar-08	Rick Anderson	367.64	31649
14-Mar-08	Auto Body Paint and Supply	53.70	31650
14-Mar-08	Automotive Springs & Overloads	10.68	31651
14-Mar-08	BMC West	120.53	31652
14-Mar-08	Broulim's	33.73	31653
14-Mar-08	Bushmaster Firearms Intl LLC	149.80	31654
14-Mar-08	Cal Ranch	89.99	31655
14-Mar-08	CBS Collections Inc	10.31	31656
14-Mar-08	Central Transfer Station	30.00	31657
14-Mar-08	Charlotte Fredrickson	23.98	31658
14-Mar-08	Crown Trophy	38.10	31659
14-Mar-08	Daniel Acevedo	4,950.00	31660
14-Mar-08	Eagle Rock Sanitation	2,608.15	31661
14-Mar-08	Electrical Equipment Co Inc	97.50	31662
14-Mar-08	Fastenal	161.17	31663
14-Mar-08	Ferguson Enterprises Inc	77.00	31664
14-Mar-08	First Responders	173.50	31665
14-Mar-08	Hammon Teton Delivery	45.00	31666
14-Mar-08	IAS-Envirochem	392.00	31667
14-Mar-08	Idaho Buusiness Systems	168.32	31668
14-Mar-08	Idaho Traffic Safety Inc	142.00	31669
14-Mar-08	Industrial Hose and Fittings	103.95	31670
14-Mar-08	Jim's Trophy Room	49.00	31671
14-Mar-08	Korner Service Auto Repair	242.42	31672
14-Mar-08	Les Schwab Tire Center	535.16	31673
14-Mar-08	Mountain West Bark Products Inc	856.00	31674
14-Mar-08	Mountainland Communications Inc	156.00	31675
14-Mar-08	Pacific Steel	280.00	31676
14-Mar-08	Petty Cash	79.43	31677
14-Mar-08	Qwest	44.63	31678
14-Mar-08	Rocky Mountain Power	5,135.77	31679
14-Mar-08	Sams Club	246.68	31680
14-Mar-08	Shelley Pioneer	256.30	31681
14-Mar-08	Shelley Quick Lube and Auto Center	562.69	31682
14-Mar-08	Shelley/Firth Rural Fire District	4,886.00	31683
14-Mar-08	Siems Enterprises	5.90	31684
14-Mar-08	State Insurance Fund	3,266.00	31685
14-Mar-08	Stephenson Computer Consulting	168.75	31686
14-Mar-08	Territorial Supplies	87.70	31687
14-Mar-08	United States Welding Inc	175.34	31688
31-Mar-08	A & B Transmission & Service CTR	336.95	31689
31-Mar-08	Advanced Diagnostics Inc	155.00	31690
31-Mar-08	Airgas Intermountain Inc	31.39	31691
31-Mar-08	Alexander Clark Business Forms	315.87	31692
31-Mar-08	Alltel	146.29	31693
31-Mar-08	Associated Business Forms & Systems	335.25	31694
31-Mar-08	Avenet LLC	126.00	31695
31-Mar-08	Blackfoot Morning News	101.25	31696
31-Mar-08	Cable One	164.95	31697
31-Mar-08	Darren Cook	325.00	31698
31-Mar-08	Eldon Dees	21.89	31699
31-Mar-08	Electrical Wholesale Supply Co Inc	24.28	31700
31-Mar-08	Ellis Automotive	373.95	31701
31-Mar-08	Exxonmobil Fleet/GECC	109.11	31702
31-Mar-08	Falls Plumbing Supply Co	44.48	31703
31-Mar-08	First Responders	14.50	31704
31-Mar-08	Forsgren Associates/P.A.	75.00	31705
31-Mar-08	Genes Radio and Sound	4,014.00	31706
31-Mar-08	IAS-Envirochem	586.00	31707
31-Mar-08	Idaho Irrigation Pumpers Association	75.00	31708
31-Mar-08	Idaho Rural Water Association	200.00	31709

31-Mar-08	Idaho Traffic Safety Inc	98.00	31710
31-Mar-08	Industrial Hose and Fittings	199.44	31711
31-Mar-08	Intermountain Gas co	1,354.56	31712
31-Mar-08	Kenworth Sales Co Inc	7.18	31713
31-Mar-08	Mcleoduas	531.90	31714
31-Mar-08	Moonlight Lock and Key	45.00	31715
31-Mar-08	Mountainland Communications Inc	47.00	31716
31-Mar-08	Stanley J Peterson	22.05	31717
31-Mar-08	Phillips 66 Co	1,561.39	31718
31-Mar-08	Qwest	86.62	31719
31-Mar-08	Cheryl Simmons	350.00	31720
31-Mar-08	Stephenson Computer Consulting	93.75	31721
31-Mar-08	Teton Communications Inc	58.00	31722
31-Mar-08	US Post Office	325.00	31723
31-Mar-08	Ultramax Ammunition	1,560.00	31724
31-Mar-08	World Empryre Sports	715.50	31725
31-Mar-08	20th Century Ford	83.00	31726
7-Mar-08	City of Shelley Payroll	46,634.49	
21-Mar-08	City of Shelley Payroll	49,543.21	
	Total	143,968.82	